IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2889 OF 2005

Bank of India & Ors. ..Petitioners

versus

M/s. Datar Switchgear
Limited & Ors. ..Respondents

Mr. A. V. Anturkar with Mr. S. B. Deshmukh for the Petitioners.

Ms. Swati Deshpande with Mr. G. Kulkarni with Mr. D. Arief i/b. M/s. Res. Legal for the Respondent No.1.

Mrs. A. S. Pai, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
V. K. TAHILRAMANI,JJ.

DATE : 21ST MARCH, 2006

P.C. :

1. Heard.

2. Rule, returnable forthwith.

3. Petitioner No.1 has already filed Revision before the Sessions Court. In view of the Judgment of this Court **(Coram : Smt. V. K. Tahilramani, J) reported in [2005(3) Mh.L.J. 778 V. K. Jain**

and others vs. Pratap V.Padode and another, wherein it is held "**that the power of High Court under Section 482 of the Criminal Procedure Code should not be resorted to if there is specific provision in the Code for the redress of the grievance of the aggrieved party. The applicants have an efficacious remedy of preferring revision in respect of the order of the Magistrate issuing process",** the petitioners have to approach Sessions Court by Revision.

4. In this view of the matter, Rule is discharged. Petitioner No.1 has already filed Revision before the Sessions Court, the Petitioner No.1 is at liberty to proceed further with revision. All contentions are kept open.

(D.G. DESHPANDE, J.)

(V.K. TAHILRAMANI, J.)